

Criminal Investigation

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The following is the statement of: P.O. MICHAEL CHAPMAN #175 Date 1/17/2011
Time: 1100 hrs

AGE: 32 SEX: M RACE: B DOB: 8/8/1978 Date of Appt: 10/15/2007

SSN: ADDRESS: 9333 Kinsman Road

CITY: Cleveland STATE: OH ZIP

Employed at: City of Cleveland Address: 601 Lakeside Ave.

City: Cleveland State: OH Phone: 216-621-2200

Regarding the investigation of: RMS # 2010-410077 (UDFIT 10-23)

I am making this statement pursuant to the orders of a lawful supervisory officer. I make this statement pursuant to the established principals of Garrity V. New Jersey 385 S. CT. 493 (1967). I do not waive my legal rights, nor do I consent to the audio or video taping of my statement.

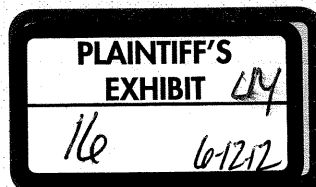
q. Please describe to me the events that took place on December 31, 2010 at approximately 2048 hours, in the area of East 113th and East 114th and Benham Avenue, involving the arrest of Rodney S. Brown.

- a. We had an assignment on E. 112th and Kinsman and after we finished with that assignment we heard gunshots in close proximity and we decided to wait at E. 112th and Regalia to see if we heard any more gunshots. We were facing east bound and observed a vehicle going west bound on Regalia with no headlights on. The vehicle turned south on E. 113th and we decided to follow it and do a traffic stop. My partner ran the plate on the computer and we did a traffic stop at the corner of E. 113th and Benham. I was driving and put the lights and siren on and the vehicle stopped but the brake lights were still on.

We stepped out of our vehicle and I told the driver to put his car in park. I approached the vehicle on the driver's side and asked the driver for his license and insurance. His first words to me were "Do you know who I am"? I noticed that he had his right hand under his left leg and I unholstered and took a step back and asked him to put both of his hands on the steering wheel. The driver seemed reluctant so I asked him again to put his hands on the steering wheel and then he complied.

I asked him again for his drivers' license and again he said to me "Do you know who I am"? I then I said to him "Give me your license".

He started reaching toward the passenger side of the vehicle and he started to exchange words with my partner. I can't hear everything they are saying but I can hear my partner telling him that the reason we stopped you is because your lights were off. They exchanged a few more words and my partner tells me "Mike we need to have him step out of the car". I asked the male "Sir I need you to step out of the vehicle". He steps out of the vehicle in a very aggressive manner, with his fists balled and he slammed the door when he came out. Because he stepped out so aggressively I stepped back toward the rear of the vehicle. I wait for my partner to come around to the rear of the vehicle with me and then asked the male to put his hands on the trunk of his car. The suspect complies but does so reluctantly, he was moving real slow, he kept looking at me and his fists were still balled. I am on the suspects left side and my partner is on his right side. I did a quick pat of his back pockets and he said again "Do you know who I am"?



Our initial intention when we stopped this guy was to check his license and tell him to put his lights on and send him on his way but due to his behavior and the fact that he was giving us so many signals that he was under the influence of some type of drug or alcohol and had produced no identification or drivers license after we asked him several times, we decided to arrest him.

I took hold of the suspects left wrist and informed him that because of his behavior and because he had no ID he was under arrest. My partner took a hold of his right wrist and as we were trying to bring his hands behind him to put handcuffs on him the suspect tensed up and just slung us both away from him. The suspect starts walking backward with his hands up, fists still clenched. At this point I took out my taser and tell the suspect to get on the ground and he takes a step toward me and I took a step back and again order him to get on the ground and he takes another step toward me and at this point I deployed my taser hitting the suspect in the area of his sternum.

When the taser hit him it appeared to have no affect and the he just turns and runs east bound on Benham. We immediately give chase and my partner deploys his taser and hits the suspect in the back again with no affect. We continued running east bound on Benham and I observed that the suspect's right arm stopped swinging and it appeared that the suspect was reaching for something. I yelled to my partner, P.O. Belal, "He's reaching for something, he's reaching for something". We continued the foot pursuit south onto East 114th I am continually yelling for the suspect to stop. We continue south bound on Benham into the driveway of 3589 Benham where my partner is able to catch up to the suspect and tackle him. They are rolling around on the driveway and end up on the tree lawn at which point I am able to jump in and both of us are trying to get his arms behind his back to handcuff him and he continues to swing and kick and punch at us. We are both trying to drive stun him with our tasers and it is having no effect. I tried to drive stun him twice but I think I only got him once in the lower back. The suspect is literally smacking the tasers away.

I reholster my taser and try to get the male to submit by striking him and it is pretty much an all out brawl at this point. The suspect continues to hit and kick at us. The suspect gets a hold of my wrist and starts twisting it with his right hand and I see a black object in his left hand that I thought was a weapon.

At this point we have been fighting for several minutes and we are both completely exhausted. I am thinking, we are not winning this fight and the suspect does not appear to be wearing down so I take out my weapon and tell my partner, yelling loud enough to make sure the suspect hears me, hoping this would make him comply, that I am going to shoot him. The suspect just keeps on fighting.

My partner manages to grab the object out of the suspects hand and throws it away. My partner tells me "don't shoot him, don't shoot him" and I reholster. At this point we are still fighting with the suspect and he is still fighting us by throwing punches. At this point the fighting stops, the suspect is still not cooperating but we still need to hold him down and I am able to broadcast our location and notify radio that we need some help and that our tasers are not working.

We continue to try to handcuff the suspect he is still hitting at us and we are striking him back, he is refusing to obey our commands to put his hands behind his back and stop resisting. He actually stops and the suspect is yelling to people who are starting to approach us to "Go get my people, go get my people" he said this several times like he knew the people that were approaching us. Now we are focusing our attention not only on the suspect but on the 10 or so people that are approaching us so I again broadcast for assistance.

The suspect is still resisting and fighting us and we are still not able to get him handcuffed. We can see other police cars showing up in the area but I think they can't find us so I broadcast to them to come south. My partner is just yelling to the other zone cars trying to get their attention.

Right now we are just laying on top of the suspect, just trying to put all of our weight on him to keep him down until the other cars arrive to help us. I can no longer throw any punches I am too exhausted. Finally the other officer show up and they assist us in trying to subdue the suspect who is still fighting us. As more officers arrive we let go and I just fall on my back and roll away. I am spitting and coughing trying to catch my breath. I look over and I see that the suspect is still fighting with the six other officers that had come to help us and they still were not able to handcuff him. I am trying to catch my breath and eventually the other officers get the suspect handcuffed. I tried to broadcast to radio to get a one man car to go back over to East 113th and secure the suspects car.

I am up and walking around now in the street still trying to catch my breath and I see the other officers have now got the suspect handcuffed and they are putting him in the back of a Zone Car.

I can see the other officers are talking to the suspect while he is in the back of the Zone Car and then they decide to get the suspect out of the car and EMS arrives and puts the suspect on a gurney.

After the suspect was in the back of the ambulance for a minute or two one of the other officers came up to me and told me that the suspect was in cardiac arrest.

- q. Who was you partner on this night?
 a. P.O. Belal flain #97, we are regular partners on 4 B 24.
- q. What hours were you working?
 a. 1530 to 0130, our regular shift.
- q. Where you driving a regular marked Zone Car that night?
 a. Yes.
- q. How were you dressed that night/
 a. I was in full uniform, I had on my outer vest carrier with my badge on the outside, I was also equipped with O.C. spray.
- q. Do you know the sr # of your duty weapon?
 a. Yes its GCH 023, it is a Glock model 17.
- q. Is the serial number of your taser #X00-474427?
 a. Yes
- q. What was the lighting conditions in the area you were fighting with the suspect?
 a. It was night time but there was a street light in the area.
- q. Where you injured during this incident?
 a. No
- q. Is there anything in this statement that you want to change or is there anything that you want to add?
 a. No

Q. Having read your statement do you find it to be true? A. YES

Signature: [Signature] Time 1241

Witness: [Signature]

Relationship/ID# _____

Witness: [Signature] 1539

Relationship/ID# _____

Taken by: [Signature] ID# _____